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FACSIMILE TRANSMITTAL SHEET

TO: Ms. Doshie Day

FIRM/COMPANY: USPTO-OIPE

FACSIMILE NUMBER: 703.305.9822

**CONFIRMATION
TELEPHONE:** 703.308.1202

FROM: Sue Seiler, Paralegal for Samuel S. Apicelli

DIRECT DIAL: 717.237.5530

DATE: September 30, 2004

USER NUMBER:

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TOTAL # OF PAGES: 3
(INCLUDING COVERSHEET)

MESSAGE: Ms. Day: attached are the Transmittal letter and the Rescission Of Previous Nonpublication Request form that we filed, via facsimile, on May 4, 2004, in connection with S/N 10/829,104. Thank you for your assistance.
Sue Seiler

NOTE: Original will not follow

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FACSIMILE TRANSMITTAL SHEET

TO: PG Pub

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FACSIMILE NUMBER: 1.703.305.8568

**CONFIRMATION
TELEPHONE:** 1.703.605.4283

FROM: Samuel W. Apicelli

DIRECT DIAL: 717.237.5516

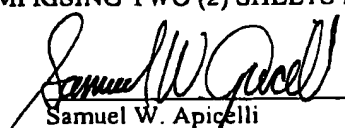
DATE: 5/4/04

FILE NUMBER: H1799-00219

TOTAL # OF PAGES: 2
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MESSAGE: RE: S/N 10/829,104
CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. 1.6 & 1.8
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FAX. NO. 1-703-305.8568 COMPRISING TWO (2) SHEETS INCLUDING
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Date: May 4, 2004


Samuel W. Apicelli
Reg. No. 36,427

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PTO/SB/36 (08-03)

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**RESCISSION OF PREVIOUS
NONPUBLICATION REQUEST**
(35 U.S.C. 122(b)(2)(B)(ii))
**AND, IF APPLICABLE,
NOTICE OF FOREIGN FILING**
(35 U.S.C. 122(b)(2)(B)(iii))

Send completed form to:
Mail Stop PG Pub
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 305-8568

Application Number	10/829,104
Filing Date	04/21/2004
First Named Inventor	Rosenfeld
Title	Heat transfer device and method of making same
Atty Docket Number	H1799-00219
Group Art Unit	3743
Examiner	NOT YET KNOWN

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

May 4, 2004
Date

Samuel W. Apicelli
Signature

717-237-5516

Telephone Number

Samuel W. Apicelli Reg. No. 36,427

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.gov.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PG Pub, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile ((703) 305-8568) transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Samuel W. Apicelli		
Signature	<u>Samuel W. Apicelli</u>	Date	<u>5/4/04</u>

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/829,104	04/21/2004	John H. Rosenfeld	H1799-00219

CONFIRMATION NO. 6484

000041396

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OC000000013959485

Date Mailed: 09/30/2004

Communication Regarding Rescission Of Nonpublication Request and/or Notice of Foreign Filing

Applicant's rescission of the previously-filed nonpublication request and/or notice of foreign filing is acknowledged. The paper has been reflected in the Patent and Trademark Office's (USPTO's) computer records so that the earliest possible projected publication date can be assigned.

The projected publication date is 01/06/2005.

If applicant rescinded the nonpublication request before or on the date of "foreign filing,"¹ then no notice of foreign filing is required.

If applicant foreign filed the application after filing the above application and before filing the rescission, and the rescission did not also include a notice of foreign filing, then a notice of foreign filing (not merely a rescission) is required to be filed within 45 days of the date of foreign filing. See 35 U.S.C. § 122(b)(2)(B)(iii), and Clarification of the United States Patent and Trademark Office's Interpretation of the Provisions of 35 U.S.C. § 122(b)(2)(B)(ii)-(iv), 1272 Off. Gaz. Pat. Office 22 (July 1, 2003).

If a notice of foreign filing is required and is not filed within 45 days of the date of foreign filing, then the application becomes abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii). In this situation, applicant should either file a petition to revive or notify the Office that the application is abandoned. See 37 CFR 1.137(f). Any such petition to revive will be forwarded to the Office of Petitions for a decision. Note that the filing of the petition will not operate to stay any period of reply that may be running against the application.

Questions regarding petitions to revive should be directed to the Office of Petitions at (703) 305-9282. Questions regarding publications of patent applications should be directed to the patent application publication hotline at (703) 605-4283 or by e-mail pgpub@uspto.gov.

¹ Note, for purpose of this notice, that "foreign filing" means "filing an application directed to the same invention in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing".